

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA     )  
  )  
                  v.                    )     5:08-CR-0408-CLS-PWG  
  )  
JOHN LAWSON SIMONS            )

GOVERNMENT'S DISCLOSURE TO DEFENDANT

COMES NOW the United States of America by and through Alice H. Martin, United States Attorney for the Northern District of Alabama, and Mary Stuart Burrell, Assistant United States Attorney, and hereby submits the defendant's disclosure as follows:

- A. A discovery packet will be hand delivered to the defendant this date.  
The majority of the discovery materials are not suitable for photocopying and are available for review at the Federal Bureau of Investigation in Huntsville, Alabama.
- B. The defendant's statements to law enforcement have been previously provided to defense counsel.
- C. The defendant's prior criminal record can be obtained from the United States Probation Office.
- D. The government has provided the defendant with copies of all

documents as provided in F.R. Crim P., Rule 16(a)(1)(C).

- E. Expert witness reports, if they exist, have been previously provided to defense counsel.
- F. A report containing what could be viewed as exculpatory information has been previously provided to defense counsel. This report is of a sensitive nature and is for attorney use only.
- G. Any “statements” of witnesses for the United States will be provided after the witness has testified on direct examination and upon timely and specific request of the defendant.
- H. Defendant may call the U.S. Attorney’s Office or the Federal Bureau of Investigation to schedule a time to view the physical evidence.
- I. There is no promise of immunity, leniency, or preferential treatment to any government witness.
- J. Information which could be considered 404(b) evidence is available for review at the Federal Bureau of Investigation.

Respectfully submitted this the 18<sup>th</sup> day of November, 2008.

ALICE H. MARTIN  
United States Attorney

/s/ Mary Stuart Burrell  
MARY STUART BURRELL  
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I hereby certify that a copy of the foregoing will be served on the defendant, by hand delivery, this the 18<sup>th</sup> day of November, 2008, to his attorney of record:

Marc Sandlin

/s/ Mary Stuart Burrell

MARY STUART BURRELL  
Assistant United States Attorney